

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RODNEY COWARD,

Plaintiff,

v.

JOHN OR JANE DOE, M.D. *and*  
SUPERINTENDENT ROBERT MORTON,  
JR.,

Defendants.

No. 22-CV-628 (KMK)

ORDER OF SERVICE

KENNETH M. KARAS, United States District Judge:

Plaintiff, who is currently incarcerated at Bare Hill Correctional Facility, brings this pro se action alleging that Defendants violated his constitutional rights. Plaintiff's claims are construed as being brought under 42 U.S.C. § 1983 and state law. By order dated March 31, 2022, the Court granted Plaintiff's request to proceed in forma pauperis ("IFP"), that is, without prepayment of fees. (*See* Dkt. No. 5.) The Court directed service on Superintendent Robert Morton ("Morton") on April 6, 2022, (*see* Dkt. No. 7), but the U.S. Marshals Service was unable to serve Morton because the facility at which Morton worked, Downstate Correctional Facility, has closed, (*see* Dkt. No. 12). The Court therefore entered a *Valentin* order instructing the Attorney General of the State of New York to provide an address where Morton may be served. (*See id.*) The Attorney General responded by explaining that Morton has retired and providing the Court and the U.S. Marshals Service with Morton's residential address. (*See* Dkt. No. 13.)

The Court now directs service on Morton once more. To allow Plaintiff to effect service on Morton through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for this defendant. The

Clerk of Court is further instructed to issue a summons for Morton and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Morton.

Due to security and confidentiality concerns as to Morton's home address, the Court will separately provide Morton's address to the Clerk of Court and the U.S. Marshals Service to effect service.

SO ORDERED.

Dated: July 8, 2022  
White Plains, New York

A handwritten signature in black ink, appearing to read 'KMK', with a horizontal line drawn underneath the letters.

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KENNETH M. KARAS  
United States District Judge